

MOTION UNDER 28 U.S.C. § 2255 TO VACATE, SET ASIDE, OR CORRECT
SENTENCE BY A PERSON IN FEDERAL CUSTODY

United States District Court		District	
Name (under which you were convicted): Alexandra Lee Norwood		Docket or Case No.: 12-20287	
Place of Confinement: FCI Manchester		Prisoner No.: 41748-039	
UNITED STATES OF AMERICA		Movant (include name under which convicted) V. Alexandra Lee Norwood	

MOTION

1. (a) Name and location of court which entered the judgment of conviction you are challenging:

U.S. District Court For The Eastern District of Michigan

(b) Criminal docket or case number (if you know): 12-20287

2. (a) Date of the judgment of conviction (if you know): June 15, 2015

(b) Date of sentencing: N/A

3. Length of sentence: Mandatory Life Imprisonment

4. Nature of crime (all counts):

RICO conspiracy, 18 USC § 1962(d) and VICAR Murder (18 USC § 1959)

5. (a) What was your plea? (Check one)

(1) Not guilty ☒

(2) Guilty ☐

(3) Nolo contendere (no contest) ☐

(b) If you entered a guilty plea to one count or indictment, and a not guilty plea to another count or what did you plead guilty to and what did you plead not guilty to?

6. If you went to trial, what kind of trial did you have? (Check one)

Jury ☒

Judge only ☐

7. Did you testify at a pretrial hearing, trial, or post-trial hearing?

Yes ☐

No ☒

8. Did you appeal from the judgment of conviction?

Yes ☒

No ☐

FILED
CLERK'S OFFICE
OCT - 1 2019
U.S. DISTRICT COURT
EASTERN MICHIGAN

9. If you did appeal, answer the following:

(a) Name of court: The Sixth Circuit Court of Appeal's

(b) Docket or case number (if you know): 15-1672

(c) Result: Affirming Movant's convictions.

(d) Date of result (if you know): August 4, 2017

(e) Citation to the case (if you know): 15-1672

(f) Grounds raised: Please see Case Number 15-1672

(g) Did you file a petition for certiorari in the United States Supreme Court?

Yes ☒

No ☐

If "Yes," answer the following:

(1) Docket or case number (if you know): _____

(2) Result: The Writ of Certiorari was denied.

(3) Date of result (if you know): _____

(4) Citation to the case (if you know): _____

(5) Grounds raised: A number of ground's concerning the RICO statute and VICAR statute.

10. Other than the direct appeals listed above, have you previously filed any other motions, petitions, or applications, concerning this judgment of conviction in any court?

Yes ☐

No ☒

11. If your answer to Question 10 was "Yes," give the following information:

(a) (1) Name of court: _____

(2) Docket or case number (if you know): _____

(3) Date of filing (if you know): _____

(4) Nature of the proceeding: _____

(5) Grounds raised: _____

(6) Did you receive a hearing where evidence was given on your motion, petition, or application?

Yes ☐

No ☐

(7) Result: _____

(8) Date of result (if you know): _____

(b) If you filed any second motion, petition, or application, give the same information:

(1) Name of court: _____

(2) Docket of case number (if you know): _____

(3) Date of filing (if you know): _____

(4) Nature of the proceeding: _____

(5) Grounds raised: _____

(6) Did you receive a hearing where evidence was given on your motion, petition, or application?

Yes ☐

No ☐

(7) Result: _____

(8) Date of result (if you know): _____

(c) Did you appeal to a federal appellate court having jurisdiction over the action taken on your motion, petition, or application?

(1) First petition:

Yes ☐

No ☐

(2) Second petition:

Yes ☐

No ☐

(d) If you did not appeal from the action on any motion, petition, or application, explain briefly why you did not: _____

12. For this motion, state every ground on which you claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Attach additional pages if you have more than four grounds. State the facts supporting each ground.

GROUND ONE: Movant's Trial Counsel Provided Ineffective Assistance Of Counsel When He Failed To Investigate And Present Exculpatory Evidence And Failed To Effectively Prepare For Trial !

(a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):

Please see forth coming Memorandum of Law for more please.

(b) Direct Appeal of Ground One:

(1) If you appealed from the judgment of conviction, did you raise this issue?

Yes ☐ No ☒

(2) If you did not raise this issue in your direct appeal, explain why:

IAC claim.

(c) Post-Conviction Proceedings:

(1) Did you raise this issue in any post-conviction motion, petition, or application?

Yes ☐ No ☒

(2) If you answer to Question (c)(1) is "Yes," state:

Type of motion or petition: _____

Name and location of the court where the motion or petition was filed: _____

Docket or case number (if you know): _____

Date of the court's decision: _____

Result (attach a copy of the court's opinion or order, if available): _____

(3) Did you receive a hearing on your motion, petition, or application?

Yes ☐ No ☐

(4) Did you appeal from the denial of your motion, petition, or application?

Yes ☐ No ☐

(5) If your answer to Question (c)(4) is "Yes," did you raise the issue in the appeal?

Yes ☐ No ☐

(6) If your answer to Question (c)(4) is "Yes," state:

Name and location of the court where the appeal was filed:

Docket or case number (if you know):

Date of the court's decision:

Result (attach a copy of the court's opinion or order, if available):

(7) If your answer to Question (c)(4) or Question (c)(5) is "No," explain why you did not appeal or raise this issue:

GROUND TWO: Movant's Counsel Provided Ineffective Assistance Of Counsel When He Failed To Proceed As Directed To Hire And Obtain A Private Investigator And His Failure To Send An Investigator To The Crime Scene !

(a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):

Please see forth coming Memorandum of Law for more please.

(b) Direct Appeal of Ground Two:

(1) If you appealed from the judgment of conviction, did you raise this issue?

Yes ☐

No ☒

(2) If you did not raise this issue in your direct appeal, explain why:

IAC claim.

(c) Post-Conviction Proceedings:

(1) Did you raise this issue in any post-conviction motion, petition, or application?

Yes ☐

No ☐

(2) If you answer to Question (c)(1) is "Yes," state:

Type of motion or petition: _____

Name and location of the court where the motion or petition was filed: _____

Docket or case number (if you know): _____

Date of the court's decision: _____

Result (attach a copy of the court's opinion or order, if available): _____

(3) Did you receive a hearing on your motion, petition, or application?

Yes ☐

No ☐

(4) Did you appeal from the denial of your motion, petition, or application?

Yes ☐

No ☐

(5) If your answer to Question (c)(4) is "Yes," did you raise the issue in the appeal?

Yes ☐

No ☐

(6) If your answer to Question (c)(4) is "Yes," state:

Name and location of the court where the appeal was filed: _____

Docket or case number (if you know): _____

Date of the court's decision: _____

Result (attach a copy of the court's opinion or order, if available): _____

(7) If your answer to Question (c)(4) or Question (c)(5) is "No," explain why you did not appeal or raise this issue: _____

GROUND THREE: Movant Is Actually Innocent Of His 18 U.S.C. § 1959(a) Conviction In Light Of The Change In The New 6th Circuit Change Of Law In U.S. vs. Deonte Ussury (17-3289 & 17-3297), July 3, 2019.!

(a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):

Please see forth coming Memorandum of Law for more please.

(b) Direct Appeal of Ground Three:

(1) If you appealed from the judgment of conviction, did you raise this issue?

Yes ☒

No ☐

(2) If you did not raise this issue in your direct appeal, explain why:

(c) Post-Conviction Proceedings:

(1) Did you raise this issue in any post-conviction motion, petition, or application?

Yes ☐

No ☐

(2) If you answer to Question (c)(1) is "Yes," state:

Type of motion or petition: _____

Name and location of the court where the motion or petition was filed: _____

Docket or case number (if you know): _____

Date of the court's decision: _____

Result (attach a copy of the court's opinion or order, if available): _____

(3) Did you receive a hearing on your motion, petition, or application?

Yes ☐

No ☐

(4) Did you appeal from the denial of your motion, petition, or application?

Yes ☐

No ☐

(5) If your answer to Question (c)(4) is "Yes," did you raise the issue in the appeal?

Yes ☐

No ☐

(6) If your answer to Question (c)(4) is "Yes," state:

Name and location of the court where the appeal was filed: _____

Docket or case number (if you know): _____

Date of the court's decision: _____

Result (attach a copy of the court's opinion or order, if available): _____

(7) If your answer to Question (c)(4) or Question (c)(5) is "No," explain why you did not appeal or raise this issue:

GROUND FOUR: Movant Counsel Provided Ineffective Assistance During Pre-Trial, Trial And Direct Appeal Which Amounted To Cumulative Ineffectiveness !

(a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):

Please see forth coming Memorandum of Law for more please.

(b) Direct Appeal of Ground Four:

(1) If you appealed from the judgment of conviction, did you raise this issue?

Yes ☐ No ☒

(2) If you did not raise this issue in your direct appeal, explain why:

(c) Post-Conviction Proceedings:

(1) Did you raise this issue in any post-conviction motion, petition, or application?

Yes ☐ No ☒

(2) If you answer to Question (c)(1) is "Yes," state:

Type of motion or petition: _____

Name and location of the court where the motion or petition was filed: _____

Docket or case number (if you know): _____

Date of the court's decision: _____

Result (attach a copy of the court's opinion or order, if available): _____

(3) Did you receive a hearing on your motion, petition, or application?

Yes ☐ No ☐

(4) Did you appeal from the denial of your motion, petition, or application?

Yes ☐ No ☐

(5) If your answer to Question (c)(4) is "Yes," did you raise the issue in the appeal?

Yes ☐ No ☐

(6) If your answer to Question (c)(4) is "Yes," state:

Name and location of the court where the appeal was filed:

Docket or case number (if you know):

Date of the court's decision:

Result (attach a copy of the court's opinion or order, if available):

(7) If your answer to Question (c)(4) or Question (c)(5) is "No," explain why you did not appeal or raise this issue:

13. Is there any ground in this motion that you have not previously presented in some federal court? If so, which ground or grounds have not been presented, and state your reasons for not presenting them:

None of the claims raised in this § 2255 application has not been raised in any other motion because these are all ineffective assistance counsel claims.

14. Do you have any motion, petition, or appeal now pending (filed and not decided yet) in any court for the you are challenging? Yes ☐ No ☒

If "Yes," state the name and location of the court, the docket or case number, the type of proceeding, and the issues raised.

15. Give the name and address, if known, of each attorney who represented you in the following stages of the you are challenging:

(a) At the preliminary hearing:

Harold Gurewitz (P14468) Gurewitz & Raben, PLC 333 W. Fort Street, Suite 1400 Detroit, MI 48226

(b) At the arraignment and plea:

Harold Gurewitz

(c) At the trial:

Harold Gurewitz

(d) At sentencing:

Harold Gurewitz

(e) On appeal:

Harold Gurewitz

(f) In any post-conviction proceeding:

None

(g) On appeal from any ruling against you in a post-conviction proceeding:

None

16. Were you sentenced on more than one court of an indictment, or on more than one indictment, in the same court and at the same time? Yes ☒ No ☐

17. Do you have any future sentence to serve after you complete the sentence for the judgment that you are challenging? Yes ☐ No ☒

(a) If so, give name and location of court that imposed the other sentence you will serve in the future:

(b) Give the date the other sentence was imposed: _____

(c) Give the length of the other sentence: _____

(d) Have you filed, or do you plan to file, any motion, petition, or application that challenges the judgment or sentence to be served in the future? Yes ☐ No ☐

18. TIMELINESS OF MOTION: If your judgment of conviction became final over one year ago, you must explain why the one-year statute of limitations as contained in 28 U.S.C. § 2255 does not bar your motion.*

This motion is timely filed under 2255(f)(1). Movant writ of certiorari was denied on October 1, 2018.

* The Antiterrorism and Effective Death Penalty Act of 1996 ("AEDPA") as contained in 28 U.S.C. § 2255, paragraph 6, provides in part that:

A one-year period of limitation shall apply to a motion under this section. The limitation period shall run from the latest of –

- (1) the date on which the judgment of conviction became final;
- (2) the date on which the impediment to making a motion created by governmental action in violation of the Constitution or laws of the United States is removed, if the movant was prevented from making such a motion by such governmental action;
- (3) the date on which the right asserted was initially recognized by the Supreme Court, if that right has been newly recognized by the Supreme Court and made retroactively applicable to cases on collateral review; or
- (4) the date on which the facts supporting the claim or claims presented could have been discovered through the exercise of due diligence.

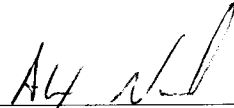
Therefore, movant asks that the Court grant the following relief:

or any other relief to which movant may be entitled.

Signature of Attorney (if any)

I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct and that this Motion under 28 U.S.C. § 2255 was placed in the prison mailing system on September 24, 2019.
(month, date, year)

Executed (signed) on September 24, 2019 (date)



Signature of Movant

If the person signing is not movant, state relationship to movant and explain why movant is not signing this motion.

September 23, 2019

Alexandra Lee Norwood
Reg. No. 41748-039
FCI Manchester
P.O. Box. 4000
Manchester, KY 40962

Chambers of Honorable Mark A. Goldsmith
United States District Court Judge
231 West Lafayette Boulevard
Detroit, MI 48226

Re: Norwood v. United States, 12-20287

Dear Honorable Mark A. Goldsmith

Please find enclosed Movant's § 2255 application form that is timely filed under § 2255(f)(1). The Movant/Defendant avers that he has just recently become aware new exculpatory evidence that resulted in a Fundamental Miscarriage of Justice that resulted in Movant's incarceration. In Support, the Movant/Defendant ~~shows~~ the Court the following:

- 1) The Movant's/Defendant's A.E.D.P.A. deadline has not yet been reached but rapidly approaches.

The Movant/Defendant has just recently discovered a Constitutional violation in the criminal process that produced his Conviction/Sentence and wishes to file his request for relief, in GOOD FAITH, pursuant to 28 U.S.C. § 2255.

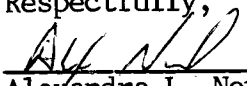
The Movant/Defendant currently has no choice but to represent himself in pro se, in necessity. The Movant/Defendant has no training in the field of law and needs the additional time to research his recent discoveries.

The Movant/Defendant has access to a limited law library as it contains only 12 computers to facilitate 970 inmates here at FCI Manchester. What's more, after waiting his turn, the Movant/Defendant is limited to ONLY two (2) hours to research and then must wait his turn again.

This request is made in GOOD FAITH, in the Interest of Justice, and not meant to delay the proceedings. The United States nor any other adverse party will be prejudiced by a forty five (45) day delay in Movant's § 2255 memorandum of law. Movant is serving Life in prison without the possibility of parole. All he asks is for a chance to prove his ineffective assistance of counsel claims.

Thank You for your time and concern in this matter.

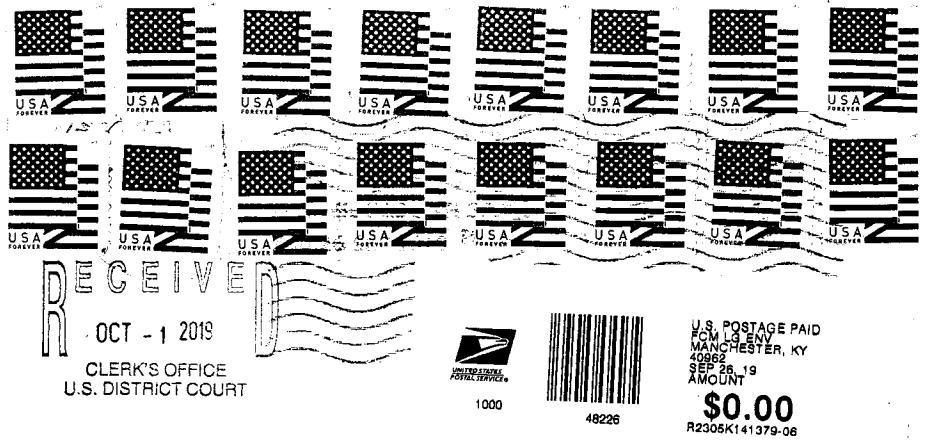
Respectfully,



Alexandra L. Norwood

Petitioner, Pro Se

Mr. Alexandra Lee Norwood
Reg. No. 41748-039, CIR, Whitley-B
Federal Correctional Institution
P.O. Box. 4000
Manchester, Ky 40962-4000



Theodore Levin United States Courthouse
231 West Lafayette Boulevard, 5th Floor
Detroit, MI 48226

9/26/19

*** Legal Mail ***

